

REMARKS

Claims 1 - 10 remain active in this application. Claim 1 has been amended to repeat language appearing later in the claim, for clarity, and claim 3 has been amended to correct a minor typographical matter. No new matter has been introduced into the application. The indication of allowability of claims 2 and 9 is noted with appreciation.

The objections by the Chief Draftsman to the drawings have been duly noted. Correction will be made when formal drawings are submitted. Therefore, it is respectfully requested that requirement for correction be held in abeyance until formal drawings are required.

It is noted that the previous final rejection has been withdrawn and prosecution reopened following the filing of an Appeal Brief. As will be discussed in detail below, however, the present grounds of rejection of claims based on prior art continue to fail to address an important feature of the invention which was similarly not addressed by the grounds of rejection now withdrawn. Claim 1 has been amended by repetition of language already present in claim 1, in order to further emphasize this feature: *the use of definitional tables from an operator system interface provided by a computer to program an interface simulator on another computer to provide a representation of and perform modifications of the interface, followed by modification of the definitional tables with corresponding changes made using the simulator to reprogram the operator system interface on the first computer providing the interface.* Two previous responses to official actions and an Appeal Brief have been substantially directed to explaining and pointing out this feature which the Examiner continues to fail to address and it is respectfully requested that the Examiner specifically address this feature of the

invention recited in the claims or allow the application in the next official action.

Claim 3 has been rejected under 35 U.S.C. §112, second paragraph, as being indefinite; the Examiner noting a minor typographical matter which is clearly evident and understood by the Examiner. This ground of rejection is respectfully traversed since it is evident that the subject matter of the claims is, in fact, clear and unambiguous, as is evident from the Examiner's comments, and as being moot in view of the amendment made above.

Claims 1 and 3 - 10 (sic - 1, 3 - 8 and 10, as stated on page 6 of the present office action) have been rejected under 35 U.S.C. §103 as being unpatentable over Heath et al. in view of Styers. This ground of rejection is respectfully traversed since neither reference addresses the feature of the invention alluded to above and it is clear from the Examiner's comments that Heath et al. is not well-understood by the Examiner while Styers is directed only to simulation of interface displays with provision for input from an aircraft simulator.

Specifically, as repeatedly pointed out in the previous responses and Appeal Brief, the invention is directed to providing for modification of an (operational) operator system interface using a simulator and is of particular utility where operation of the system providing the operator system interface is particularly expensive and requires operator attention for operation, as in a computer system in an aircraft or other vehicle, where modification of the interface would be a major distraction to operation of the vehicle or the system. Therefore, claim 1 recites: 1.) provision of definitional tables for an interface from a computing device providing that interface to another computer system, as an input, to 2.) program the "another" computer system to provide a simulation

of the interface, modification of the simulation of the interface and 3.) modification of the definitional tables to reprogram the (original) computing device providing the operator system interface to achieve modifications of the interface to correspond to modifications made on the simulator.

Heath et al. is directed to the simulation of possible interfaces to be used in connection with a software program in a simulator of that software program "even before program code for the simulated program is created" (see Abstract of Heath et al.). Both the interface and the program are simulated so that the user interactions with the interface can be studied and suitably modified prior to development of the underlying software program. Therefore, Heath et al. does not, in fact, teach providing "definitional tables for an operator interface, much less to another computing device (as admitted by the Examiner) or the modification of the definitional tables to reprogram the operator interface since the operator interface does not exist but, rather, is itself simulated.

Styers is directed to development of the graphics of an interface and then studying the interaction and perceptibility of graphic indicia by providing an input of simulated flight conditions from a flight simulator. The input from the flight simulator is limited to flight data (e.g. attitude, heading, air speed, etc.) and is clearly not "definitional tables for an operator interface" provided from a computing device providing the interface and is input to the computing device on which the simulation is being performed in order to design an instrument display format but not to reprogram an operator interface which exists on or is provided by another computing device. Therefore, Styers does not mitigate the deficiencies of Heath et al. in regard to a major feature of the invention explicitly recited in the claims; one of which (that

the simulation is done on a different computing device) the Examiner admits and the other of which (the modification of the definitional tables to re-program the computing device from which the definitional tables were originally obtained) has received no comment from the Examiner in the statement of the rejection.

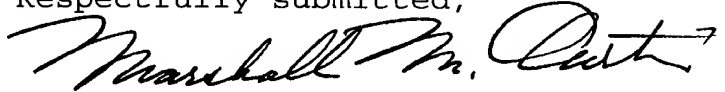
Therefore, it is clear that the stated ground of rejection is clearly in error in failing to address explicit recitations of the claims and, by such failure to do so, the Examiner has failed to make a *prima facie* demonstration of obviousness of any claim in the application. Accordingly, reconsideration and withdrawal of the sole ground of rejection of record (based on prior art) are respectfully requested.

In the foregoing amendment and remarks, a sincere effort has been made to obtain proper consideration for a major feature of the invention which has been effectively ignored throughout a protracted prosecution and Appeal. Should any issue be seen to remain or if the Examiner perceives any uncertainty in regard to the nature of the invention, it is respectfully requested that the Examiner contact the undersigned by telephone at the number given below in order to expeditiously resolve the same so that a full and proper consideration of the claimed subject matter can be provided.

Since all rejections, objections and requirements contained in the outstanding official action have been fully answered and shown to be in error and/or inapplicable to the present claims, it is respectfully submitted that reconsideration is now in order under the provisions of 37 C.F.R. §1.111(b) and such reconsideration is respectfully requested. Upon reconsideration, it is also respectfully submitted that this application is in condition for allowance and such action is therefore respectfully requested.

If an extension of time is required for this response to be considered as being timely filed, a conditional petition is hereby made for such extension of time. Please charge any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 50-2041 (Whitham, Curtis & Christofferson).

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Marshall M. Curtis", with a stylized flourish at the end.

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